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To: Commissioner for Patents for Examiner Duc T. Boan Group Art Unit 2188	Facsimile No. 571/273-8300
From: Dell Whitton Paralegal to Duke W. Yee	No. of Pages Including Cover Sheet: 3
Enclosed herewith: <ul style="list-style-type: none">• Transmittal document; and• Notice of Appeal.	
Re: Application Serial No. 10/674,976 Attorney Docket No. AUS920030642US1	
Date: Monday, May 01, 2006	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 01 2006

In re application of: **McBrearty**

Serial No.: 10/674,976

Filed: September 30, 2003

For: Method for Volume Manager to
Have Configurable Device Type and
Subtype for Application Use§
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§
§
§
§


Group Art Unit: 2188

Examiner: Doan, Duc To.

Attorney Docket No.: AUS920030642US1

Certificate of Transmission Under 37 C.F.R. § 1.8(a)I hereby certify this correspondence is being transmitted via
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By:


Dell WhittonTRANSMITTAL DOCUMENTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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PATENT TRADEMARK OFFICE
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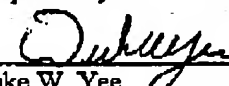
Sir:

ENCLOSED HEREWITH:

- Notice of Appeal

A fee of \$500.00 is believed to be necessary. Please charge this fee to IBM Corporation Deposit Account 09-0447. In the event that any additional fees are required for the prosecution of this application, please charge any necessary fees to IBM Corporation Deposit Account 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is needed, the extension is requested and the fee for this extension should be charged to IBM Corporation Deposit Account 09-0447.

Respectfully submitted,


Duke W. Yee

Registration No. 34,285

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ATTORNEY FOR APPLICANT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 01 2006

In re application of: **McBrearty**Serial No.: **10/674,976**Filed: **September 30, 2003****For: Method for Volume Manager to
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§Group Art Unit: **2188**Examiner: **Doan, Duc To.**Attorney Docket No.: **AUS920030642US1**Certificate of Transmission Under 37 C.F.R. § 1.8(a)

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Alexandria, VA 22313-1450, facsimile number (571) 273-8300
on May 1, 2006.

By:


Dell WhittomNOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the office action dated January 31, 2006 finally rejecting claims 1-29.

A fee of \$500.00 is believed to be necessary. Please charge this fee to IBM Corporation Deposit Account No. 09-0447. In the event that any additional fees are required for the prosecution of this application, please charge any necessary fees to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is needed, the extension is requested and the fee for this extension should be charged to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,



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05/02/2006 JBALINAN 00000055 090447 10674976

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